

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:11CR3076
	)	
v.	)	
	)	
FERNANDO G. MUNOZ,	)	MEMORANDUM AND ORDER
	)	
Defendant.	)	

The defendant has moved to continue the pretrial motion deadline. Filing No. 20. Defense counsel states that additional time is needed to fully review the discovery, including audio files produced by the government. The government does not oppose the motion. Based on the showing set forth in the defendant's motion, the court finds the motion should be granted.

IT IS ORDERED:

- 1) The defendant's motion to continue, (filing no. 20), is granted.
- 2) The defendant's pretrial motions and briefs shall be filed on or before October 13, 2011.
- 3) Trial of this case remains set to commence on November 28, 2011.
- 4) The ends of justice served by granting defendant's motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between September 28, 2011 and October 13, 2011, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

September 28, 2011.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge